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**Testimony of Jeanne Milstein, Child Advocate
Joint Committee on the Judiciary
March 2, 2009**

Good morning, Senator McDonald, Representative Lawlor, and members of the Judiciary Committee. My name is Jeanne Milstein, the Connecticut Child Advocate. Thank you for the opportunity to testify today.

I oppose House Bill No. 6386, An Act Delaying Implementation of Legislation Raising the Age of Juvenile Jurisdiction. During the past two years, I have testified before the legislature in support of the Public Act 07-04 that raises the age of juvenile jurisdiction for Connecticut's youth. My office continues to document and monitor the needs and experiences of youth in Connecticut's adult prisons and the implementation of the raise the age statute. Over the past three years, nearly 300 girls and over 600 boys under age 18 have spent part of their adolescence in adult prison. Bill No. 6386 proposes to delay implementation of critical reforms for even more youth. The law raising the age was passed in 2007 and we have already witnessed a two and one half year delay in implementation. Our youth and their families cannot wait any longer for needed reform.

We clearly face difficult fiscal decisions. Yet, any cost savings accomplished in delaying implementation of Public Act 07-04 pale in comparison to the long-term costs associated with a system that fails to provide age appropriate programs and services to our at-risk youth. We know that the suicide rate for adolescents housed in adult facilities is eight times the rate for adolescents in juvenile detention facilities. We know that incarcerating adolescents in adult facilities increases the likelihood that they will re-offend more quickly, more often, and with more serious offenses than youth in the juvenile system. We also know that adult prisons are ill equipped to meet the mental health, educational and trauma needs of adolescents. Every year that we wait to implement this legislation risks the safety and well being of Connecticut's youth, and in turn, has substantial short and long-term fiscal impact on our families and communities.

Because I believe in the urgent need for full and immediate implementation to raise the age of juvenile jurisdiction, I am opposed to H.B. No. 6580 **An Act Concerning Juvenile Justice.** This bill would stagger implementation provisions through 2011. I concede that a staggered implementation is an acceptable compromise compared to a full delay until 2012. If the General Assembly determines that it is necessary to delay implementation, I would recommend that developing the infrastructure and capacity for a continuum of services for adolescent boys and girls be prioritized. I would also recommend that a review of those youth who are currently unsentenced and placed at Manson and York to expedite their discharge planning and encourage alternatives to incarceration.

I fully support H.B. No. 6575, An Act Concerning Revisions to Provisions Raising the Age of Juvenile Jurisdiction. This bill reflects the technical changes that have been approved by the JJPOCC as required to ensure the effective treatment of 16 and 17 year old youth in the juvenile

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system. It is the final step to implementing the policy decision made by this legislature in 2007 to raise the age of juvenile court jurisdiction in recognition that adolescents are different than adults. The JJPOCC worked long and hard to address all of the concerns raised by the various stakeholders. This bill reflects the fruit of those efforts, including keeping infractions and most motor vehicle infractions in the adult court as well as allowing police to release youth on a promise to appear and question youth without their parents after a reasonable effort to contact the parents.

I oppose S.B. 674, An Act Concerning Local Expenditures Related to the Change in the Age of Juvenile Court Jurisdiction. I believe this bill is unnecessary because concerns regarding an unfunded mandate are addressed by H.B. 6575.

I would like to raise some concerns regarding Raised Bill No. 1057, An Act Concerning Appointment of Counsel and Guardian Ad Litem in Certain Juvenile Matters, specifically regarding section three of the bill. I understand the intent of this section is to promote and support a multi-disciplinary approach to the representation of children and parents in child abuse and neglect proceedings. A multi-disciplinary approach improves the quality of legal representation by providing attorneys with valuable insight from social workers, nurses, doctors, child development experts, educational experts, and other professionals. I am concerned, however, that the bill as drafted is overly broad and vague. It is important to note that licensed social workers are required to practice in accordance the National Association of Social Workers' Code of Ethics. Likewise, other professionals have their own standards with which they must comply. I would urge you to consider the following questions:

1. Does the exception to the mandated reporter requirements for social workers apply only to licensed, master's level social workers?
2. Does the exception to the mandated reporter requirements apply only when the social worker or other mandated reporter is acting as part of the legal team? When is the social worker or other mandated reporter acting as part of the legal team and when is that person acting solely in their professional capacity?
3. If there is a disagreement between a licensed social worker or other professional and an attorney on whether the activities are part of the legal representation, how would such disagreements be resolved?

Throughout the country, there are longstanding models of interdisciplinary collaboration between social workers, lawyers, and other professionals. I would urge the Committee to review how other states have reconciled the need to preserve the attorney-client privilege and the need for other professionals to adhere to their professional standards.

Thank you for the opportunity to testify. I would be happy to answer any questions.